

PLANNING AND ZONING BOARD

JULY 14, 2004

1. ROLL CALL

The meeting was called to order at 6:00 p.m. Board members present were Chair Mike Bender, Vice-Chair Mimi Turin, Casey Lee and Scott McLaughlin (arrived at 6:22 p.m.). Also present were Town Attorney Monroe Kiar, Planning and Zoning Manager Fernando Leiva, Planners Erin Degutis, Annie Feng, Brad Swing and Board Secretary Janet Gale recording the meeting. John Stevens was absent.

2. APPROVAL OF MINUTES: June 23, 2004

Vice-Chair Turin made a motion, seconded by Casey Lee, to approve the minutes of June 23, 2004. In a voice vote, with Messrs. Stevens and McLaughlin being absent, all voted in favor. **(Motion carried 3-0)**

3. PUBLIC HEARING

Rezoning

3.1 ZB 4-1-04, Jordan/Grundman, 3030 Burris Road (from M-3, County to M-3)

Jordan Morgan, representing the petitioner, was present. Mr. Swing summarized the planning report.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Ms. Lee asked if the required parking would be met and she was assured that it would. Mr. Swing explained that this effort was to upgrade the project to meet the current Code and that the facade and landscaping would also be improved in the process.

Vice-Chair Turin made a motion, seconded by Ms. Lee, to approve. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – yes; Ms. Lee – yes; Mr. McLaughlin – absent; Mr. Stevens – absent. **(Motion carried 3-0)**

Variances

3.2 V 5-1-04, Progressive Development Group, Inc./Mobil Oil, 2399 South University Drive

The applicant had requested that this item be tabled to September 22, 2004.

Ms. Lee made a motion, seconded by Vice-Chair Turin, to table to September 22, 2004. In a voice vote, with Messrs. McLaughlin and Stevens being absent, all voted in favor. **(Motion carried 3-0)**

3.3 V 5-3-04, Southern Homes of Davie II, 12901 Orange Drive

Brenda Yates, representing the petitioner, was present. Ms. Feng read the planning report.

Ms. Yates explained how the predicament developed for a few corner lots in order to comply with the rural lifestyle guidelines. At Vice-Chair Turin's inquiry, she discussed what the alternatives would be if the variance was not to be granted.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

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A discussion ensued and Chair Bender expressed that at the last meeting, a five-foot variance was denied for an individual homeowner because of the potential impact on the rural lifestyle. He, therefore, could not vote to approve this variance even though he was the only dissenting vote to grant approval at the last meeting.

Vice-Chair Turin opined that there were other models that would fit into the locations without the need of a variance and that the development could be better planned to avoid this situation.

Vice-Chair Turin made a motion, seconded by Mr. McLaughlin, to deny. In a roll call vote, the vote was as follows: Chair Bender - yes; Vice-Chair Turin - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Mr. Stevens - absent. **(Motion carried 4-0)**

3.4 V 6-2-04, Stiles Corporation/Wolf, 5480 SW 76 Avenue

Dennis Mele, representing the applicant, was present. He advised that since items 3.4 and 3.5 were the same project, his presentation would be for both items.

Ms. Lee advised that she would be abstaining from voting on these items as her employer was pursuing a landscape contract for this project.

Mr. McLaughlin indicated that he did a lot of work for Stiles Corporation and although he was not under contract for this project, he asked Mr. Kiar whether or not he should abstain. Mr. Kiar opined that it would be appropriate if Mr. McLaughlin wished to abstain.

Having only two Board members eligible to vote, this item was automatically tabled to the next meeting. Mr. Mele asserted that for various reasons, it was important for this project to move forward to the Town Council on August 4th. In the discussion which ensued, it was pointed out that the next meeting was scheduled for July 28th and that it would be possible to make the Council meeting deadline. This item was automatically tabled to July 28, 2004.

3.5 V 6-3-04, Stiles Development/Wolf, 5480 SW 76 Avenue

This item was discussed earlier in the meeting and was automatically tabled to July 28, 2004.

4. OLD BUSINESS

4.1 Status of Administration Rezoning and M-3 Zoning Code Text Amendment

Mr. Leiva explained that staff was requesting a tabling of this item to August 11, 2004.

Mr. McLaughlin made a motion, seconded by Vice-Chair Turin, to table to August 11, 2004. In a voice vote, with Mr. Stevens being absent, all voted in favor. **(Motion carried 4-0)**

5. NEW BUSINESS

Ms. Lee advised that she had attended the Land Trust meeting and found it to be informative. She commended staff for its efforts.

Mr. Leiva introduced Planner Erin Degutis who provided background information.

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6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 6:45 p.m.

Date Approved _____

Chair/Board Member